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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,501	04/26/2001	Akira Ohkado	JP920000107US1	9264

7590 11/12/2003

IBM CORPORATION
INTELLECTUAL PROPERTY LAW DEPT.
P.O. BOX 218
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EXAMINER

BARTUSKA, FRANCIS JOHN

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,501

Applicant(s)

OHKADO, AKIRA

Examiner

F. J. BARTUSKA

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6, 8, 9, 11-14 and 18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Boies et al. Boies et al disclose a method and system for conducting transactions on the Internet employing a third party 14 to facilitate the delivery of a package from a vendor 12 to a customer 16 while maintaining the identify of the customer anonymous from the vendor. The third party supplies a unique identifier to the customer, the customer uses the unique identifier when conducting business with the vendor, the vendor uses the unique identifier to print a machine readable representation of the address code on the package and sends the package to the shipper, the shipper uses the machine readable code to access a master file 208

to retrieve the customer's shipping address for delivery of the package to the customer, see col. 2, lines 11-64.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boies et al in view of Johnson. Boies et al disclose all the features of the inventor's claimed invention except the means for making payment to the vendor. Johnson discloses a method and system for transacting electronic commerce wherein payment is made from a bank to the vendor and the bank contracts to have the goods delivered while keeping the identity of the customer anonymous, see col. 23, lines 15-37. It would have been obvious to one of ordinary skill in the art to provide the method and system of Boies et al with the payment system and method of Johnson to keep the identity of the customer anonymous.

5. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boies et al in view of Johnson. Boies et al disclose all the features of the inventor's claimed invention except the customer issuing the code or the shop transmitting the code to the customer.

Johnson discloses in Fig. 1A that the ID code is issued by the bank and in Fig. 1B that the buyer sends the ID code to the bank and in Fig. 2 that the seller transmits the ID code to the bank who sends it to the customer and requests the password from the customer. Since the ID code is freely passed among the participants and is useless without the password, who issues the ID code is inconsequential and therefore only an obvious design choice to one of ordinary skill in the art. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Johnson to issue the ID code of Boies et al from any of the participants.

6. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boies et al in view of Johnson. Boies et al disclose all the features of the inventor's claimed invention except deleting the code after a predetermined time or after each use. Johnson discloses in col.

10, lines 49-58, for security, authorizing the buyer for the length of the current session. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Johnson to limit the authorization of the ID code of Boies et al for only a predetermined time or a single use for security.

Claim Rejections - 35 USC § 112

7. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This claim is indefinite because there is not proper antecedent basis for “the shop”.

8. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This claim is indefinite because the service provider is only inferentially claimed in a whereby clause.

Specification

9. The abstract of the disclosure is objected to because it is not directed to the technical features of the disclosure. Correction is required. See MPEP § 608.01(b).

10. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors.

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Noted errors are:

There is an extra copy of claim 1 and a portion of claim 2 on page 38 of the specification.

The Brief Description of the Drawings should be before the Detailed Description not after it.

Priority

11. Receipt is acknowledged of the Japanese application number 2000-168898 filed on June 6, 2000. It is noted that the Declaration states that the filing date was August 18, 2000.

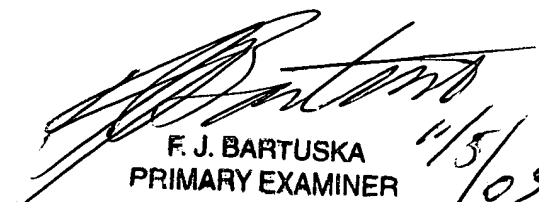
Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The IBM Technical Disclosure Bulletin, "Anonymous Delivery of Goods in Electronic Commerce" is cited for the disclosure of the means to keep the customer anonymous.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. J. BARTUSKA whose telephone number is 703-308-1111. The examiner can normally be reached on MONDAY-FRIDAY (ALTERNATE FRIDAYS OFF).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ROBERT P. OLSZEWSKI can be reached on 703-308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


F. J. BARTUSKA
PRIMARY EXAMINER 11/5/03